

Document Pack CABINET

MONDAY, 27 MARCH 2023

PRESENT: Councillor D. Price (Chair) **(In Person):**

Councillors (In Person):

C.A. Davies L.D. Evans G. Davies P.M. Hughes
G.H. John E.G. Thomas A. Vaughan Owen

Also in attendance (Virtually):

Councillor D.M. Cundy

Also Present (In Person):

W. Walters, Chief Executive
J. Morgan, Director of Community Services
C. Moore, Director of Corporate Services
L.R. Jones, Head of Administration and Law
G. Morgans, Director of Education & Children's Services
A. Williams, Director of Place and Infrastructure
J. Jones, Head of Regeneration
C. Higginson, Media Manager
A. Eynon, Principal Translator
E. Evans, Principal Democratic Services Officer
E. Bryer, Democratic Services Officer

Also Present (Virtually):

S. Hendy, Member Support Officer

Chamber - County Hall, Carmarthen. SA31 1JP and remotely - 10.00 - 10.50 am

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors A. Lenny and J. Tremlett.

2. DECLARATIONS OF PERSONAL INTEREST

Councillor	Minute Number	Nature of Interest
C. A. Davies	9 - Business Rates - Retail, Leisure and Hospitality Rates Relief Scheme 2023/24	She runs a holiday let.
P.M. Hughes	9 - Business Rates - Retail, Leisure and Hospitality Rates Relief Scheme 2023/24	He owns a Bed and Breakfast Guest House in the County.
L.D. Evans	6 - Council's Revenue Budget Monitoring Report 9 - Business Rates - Retail, Leisure and Hospitality Rates Relief Scheme 2023/24	A close member of her family has a business in the County.

A Vaughan Owen	6 - Council's Revenue Budget Monitoring Report	Wife is a primary school head teacher.
G. Davies	11. Appointment of LA Governor	He is the Chair of Governors at Brynamman School

3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE CABINET HELD ON THE 13TH MARCH 2023

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Cabinet held on the 13 March, 2023 be signed as a correct record.

4. QUESTIONS ON NOTICE BY MEMBERS

The Chair advised that no questions on notice had been submitted by members.

5. PUBLIC QUESTIONS ON NOTICE

The Chair advised that two public questions on notice had been received.

5.1. QUESTION BY MR HAVARD HUGHES TO CLLR. ANN DAVIES, CABINET MEMBER FOR RURAL AFFAIRS AND PLANNING POLICY

“When the review documents related to the reassessment of the current local plan’s Special Landscape Areas Policy EQ6, leading to the formulation of Policy BHE2, will be published?”

Response by Councillor. Ann Davies, Cabinet Member for Rural Affairs and Planning Policy:-

“Thank you for your question. The new Policy BHE2 in the LDP is currently at the start of its journey and will be supported by further evidence and supplementary guidance both will be completed and ready to be operational by the time the new LDP has completed its journey, hopefully but dependent on the Planning Inspectorate and various other issues that will be by December 2024.

As you know the 2nd Deposit LDP is currently out for consultation. The date for this consultation ends on the 14th April, and I would respectfully ask if you have concerns then I would suggest that you feed into this system. As you know, each and every response will be look at and analysed before it is independently assessed by the Planning Inspectorate. As we prepare the supplementary guidance on landscapes we will also be consulting with the Public on its content.

This guidance will identify landscapes across the County and their special characteristics allowing us to understand what is important about them as part of their future designation. As you know the current SLAs do not give any concrete protection to the 18 areas noted in the current LDP. Only Areas of Outstanding Natural Beauty and National Parks offer that protection. However the BHE2 policy will strengthen the Policy on Landscapes.”

Supplementary question by Mr Havard Hughes:-

"In the approved Local Development Plan Natural Resources Wales said we query the lack references to areas of special landscape areas in the original statement. Carmarthenshire's response was 'Special Landscape Areas are non-statutory designation and as such there is no requirement in designating it in the LDP'. So do you have the same view as council officers and their response that special landscape areas are not required and therefore have they been removed from the local plan?"

Response by Councillor. Ann Davies, Cabinet Member for Rural Affairs and Planning Policy to the supplementary question:-

As I previously noted the SLAs do not give any concrete protection; as you know as I have written you emails so you are aware of that.

The BHE2 policy will strengthen the policy on landscapes and (can I just say really using the NRW's Landmap system the whole of Carmarthenshire will be afforded the protection under the new policy and I think it is important that we note that. We are aware that there is a petition within the County which asks us to review our thoughts on the SLAs, however, as the closing date for the consultation is the 14th April, I would kindly ask the organiser to ensure that this information is fed into the consultation before the closing date if possible.

5.2. QUESTION BY MS TARA-JANE SUTCLIFFE TO CLLR. ANN DAVIES, CABINET MEMBER FOR RURAL AFFAIRS AND PLANNING POLICY

"Can she confirm which Supplementary Planning Guidance (SPG) is replacing the current Wind and Solar Energy SPG (adopted June2019); and can she give a guaranteed date of adoption of the replacement SPG."

Response by Councillor. Ann Davies, Cabinet Member for Rural Affairs and Planning Policy:-

"Thank you for your question. The current Wind and Solar Energy SPG has been reviewed and will continue to be operational for the next few years. So we are not planning to replace the policy for the next few years. The policy is still relevant and will therefore continue in its current format certainly until the end of 2025. That's when we envisage that it will be updated but at the moment it is current, relevant and fit for purpose.

Supplementary question by Ms Tara-Jane Sutcliffe:-

"It is really great to hear the commitment to that SPG. You mentioned that it would stay in place until 2025. Are you able to make longer term commitments because that SPG, as far as I'm aware, is the only place the Council have codified your commitment to undergrounding of cables and obviously with current events there's considerable concern around permission to developers to be able to put their cables overhead. Are you able to stick to that commitment of undergrounding which is contained within that policy any longer than 2025.

Response by Councillor. Ann Davies, Cabinet Member for Rural Affairs and Planning Policy to the supplementary question:-

I can assure you that the policy will be reviewed and to be honest when I was writing this I thought, this is something we will be working with Aled's portfolio on the Decarbonisation Policy within the Council has been reviewed and along with the Wind and Solar policy and so much work has taken place over the last few years in conjunction with Aled's portfolio in moving Carmarthenshire forward to become a Net Zero County by 2030. That is our commitment. The progress which has been made within this field is incomprehensible and therefore I would foresee that the new policy would fully reflect the advances which have been made.

I should advise you that although I said the end of 2025 and that's when we see the new policy being drawn up, I would advise you when a review or an update in the SPG is made it will be open for consultation and everybody is free to forward your input when the policy is reviewed once again. But I don't see a shift if I am honest in undergrounding.

6. COUNCIL'S REVENUE BUDGET MONITORING REPORT

[Note: Councillors L.D. Evans, and A. Vaughan Owen, having earlier declared an interest in this item, repeated their declarations but remained in the meeting.]

The Cabinet considered the revenue budget monitoring report which provided the latest budgetary position as at 31st December 2022 in respect of 2022/2023.

Overall, the monitoring report forecast an overspend for the year at departmental level of £6,259k with a forecast overspend on the Authority's net revenue budget of £270k. The Cabinet was advised that the largest variance remained the unfunded pay awards, which had now been included at a departmental level and had enhanced the overspend position in some departments. Figures had been updated to reflect the effect of the chancellor's reversal of the health and social care levy, which provided a saving of 1.25% on employer's national insurance contributions from November.

In addition, there remain:

- overspends in service areas driven by increased demand combined with reduced grant funding versus previous years, particularly Learning Disabilities and Children's Service.
- A sustained reduction in commercial income, covering car parks, leisure centres and school meals.
- Capital financing underspends due to scheme delays and a reduced need to borrow. The inherent underspend was £3m, against which £750k direct had been committed to cover the tendered price increase required to proceed with the Oriol Myrddin project, which attracts c. £1m national lottery match funding.

It was stated that significant negotiations by Welsh Government over the Teachers pay awards and the current position in respect of the September 2022

pay award was that the Minister initially offered an uplift of 5% to all statutory salary points, which was further negotiated by the unions and eventually the Minister agreed a revised offer for 2022/23 comprising of a further 1.5% consolidated increase and a 1.5% non-consolidated payment, with the non-consolidated element being only for this academic year. The understanding was that WG would be funding the additional 3% for this academic year and therefore schools would be presented with a shortfall of 1% in their Teachers Pay budget from September to March, due to the fact that at the start of the financial year only 4% had been validated into the budget.

The shortfall and the impact on both the school's budget and the Corporate Budget had been considered and it was proposed that the Authority provided the schools with the additional funding of approximately £600k. which would ensure schools would have no shortfall in the teachers pay budget for this year.

It was also proposed to provide the schools with the additional budgetary funding for the shortfall in the non-teaching staff budgets which would increase school budgets by another £900k. In total it was proposed to uplift school budgets for 2022/23 by £1.5m from County Council resources to fund the shortfall that school face due to the pay awards during 2022/23.

It was stated that whilst commercial income continued to recover, public use of car parks, as well as leisure centre usage remained well below pre-pandemic levels and was contributing to the overspend picture.

It was noted that as part of the 2022/23 budget setting process, the Authority had agreed a £3m in-year contingency budget which was currently held centrally and provided a partial offset to the current pressures. Furthermore, it was reported that £200k has been used to offset the increase in fuel prices impacting on School Transport.

UNANIMOUSLY RESOLVED that:

- 6.1 the Budget Monitoring report be received, and the budgetary position and appropriate corrective action taken be noted.**
- 6.2 in respect of significant overspends on specific budget areas Chief Officers and Heads of Service critically review options available to them to address the ongoing impact.**
- 6.3 the additional recommendation to provide a total uplift in the schools' budget of £1.5m to cover the shortfall in the Teachers pay be approved.**

7. CAPITAL PROGRAMME 2022/23 UPDATE

The Cabinet received a report which provided the latest budgetary position for the 2022/23 capital programme, as at the 31st December 2022 and detailed new projects and virements for noting and Cabinet approval.

It was reported that departmentally, a net spend of £56,590k was forecast compared with a working net budget of £92,515k giving a -£35,925k variance.

The net budget included the original H.R.A. and General Fund capital programmes approved by Council on the 2nd March, 2022 and slippage from 2021/22. It was noted that some budgets had also been amended to account for differences in actual grant allocations compared with the anticipated allocations at the time the programme was approved, and new grant awards received during the year to date.

It was noted that Appendix B detailed the main variances within each department.

UNANIMOUSLY RESOLVED that:

7.1 the capital programme update report 2022/23 be received.

7.2 the new projects as detailed within the report be noted and agreed.

8. EMPTY HOMES POLICY- OUR APPROACH TO BRINGING EMPTY HOMES BACK TO USE

The Cabinet considered a report which provided an introduction to the Empty Homes Policy that set the vision and the work programme for the Council in tackling empty private residential homes within the County for the next 3 years. The report provided clear direction on the approach and where efforts would be focussed to meet this and other policy goals.

It was reported that empty homes were a wasted resource when there was a shortage of housing across the County, including rural wards. These properties were reported as being a blight on neighbourhoods and could be a focus for anti-social behaviour.

The Council had committed to bringing empty homes back into use as quickly as possible and had worked with the owners of empty homes and partners to take all available opportunities to help tackle the issue of long-term empty properties.

Cabinet Members noted that bringing empty homes back into use could help address a number of housing and social issues by increasing supply in areas where there were housing shortages and pressures and where there were opportunities to link to other regeneration projects.

The Policy set out the approach and would allow officers to target certain types of properties, in certain areas, and would give clarity and confidence in any actions undertaken.

Additionally, it was noted that progress had been made over the past five years to reduce the overall number of empty homes through persistent activity and action to encourage/ enforce against homeowners to bring them back into use. The current number reported was 1,984 (Sep 2022). This represented approximately 2.1% of the overall housing stock within the County.

UNANIMOUSLY RESOLVED TO RECOMMEND TO COUNCIL that:

- 8.1 the Empty Homes Policy- “Our Approach to Bringing Empty Homes Back in to Use” be approved.**
- 8.2 the vision to reduce the number of empty properties in the County to 1500 by 2026 be agreed.**
- 8.3 the type of properties and the rating matrix applied to empty properties meets the policy goals be confirmed.**
- 8.4 the Empty Homes Policy aligns with the Council decision to impose Council Tax Premiums on long term empty properties and the way this is enforced through this policy be confirmed.**
- 8.5 the performance measures were consistent and reflective of the efforts being made to bring empty homes back into use be agreed.**

9. BUSINESS RATES - RETAIL, LEISURE AND HOSPITALITY RATES RELIEF SCHEME 2023/24

[Note: Councillors A. Davies, L.D. Evans, and P.M. Hughes, having earlier declared an interest in this item, repeated their declarations and left the meeting throughout the deliberation and voting of this item.]

The Cabinet considered a report which provided information on the adoption of a rate relief scheme being made available to billing Authorities by Welsh Government for 2023/24. The report recommended that the Cabinet adopt the 2023/24 Retail Leisure and Hospitality Rates Relief scheme as outlined in the report.

In response to the Coronavirus emergency in 2020/21, the Welsh Government announced that it would introduce the Retail, Leisure and Hospitality Rates Relief scheme to increase the discount to 100%. This scheme also applied in 2021/22 and in addition to retail sector it was extended to include leisure and hospitality sectors for example shops, pubs and restaurants, gyms, performance venues and hotels.

It was reported that for 2023-24 the Welsh Government had confirmed it would provide grant funding to all 22 local authorities in Wales to provide the Retail, Leisure and Hospitality Rates Relief scheme to eligible businesses.

However, for 2023/24 the scheme would provide a discount of 75% discount for eligible occupied properties. It was noted that the scheme would apply to all eligible businesses; however, the relief would be subject to a cap in the amount each business could claim across Wales. The total amount of relief available would be £110,000 across all properties occupied by the same business.

The Welsh Government had provided the types of business that they considered appropriate for this relief scheme, as well as those which were not. The non-exhaustive list of business types was appended to the report at Appendix A.

Cabinet Members noted that as this was a temporary measure and that the Welsh Government would be providing the relief by reimbursing Local Authorities

that use their discretionary powers under Section 47 of the Local Government Finance Act 1988, it was appropriate for the scheme to be formally adopted.

UNANIMOUSLY RESOLVED that:

- 9.1 the Retail Leisure and Hospitality Rates Relief Scheme be adopted for 2023/24**
- 9.2 the Relief be granted in accordance with the Welsh Government guidelines**
- 9.3 the applications that are not specifically covered by the guidelines or otherwise require specific consideration, to be determined by the Cabinet Member for Resources.**

10. COMMUNITY ASSET TRANSFER UPDATE

The Cabinet received a report which provided an update regarding the current position relating to the asset transfer of parks and playgrounds and also highlighted the additional expressions of interest received.

It was reported that the Council's Community Asset Transfer Procedures document had also recently been reviewed and had been updated to consider the challenges encountered to date and the lessons learnt from dealing with various asset transfers over the years. The new Procedures would replace the 2013-2016 version.

It was noted that a consultation process had been carried out with Town and Community Council at the beginning of the year with a questionnaire sent to all Councils requesting their feedback on their experiences to date. Their comments had been taken on board and incorporated within the new document.

UNANIMOUSLY RESOLVED that:

- 10.1 the present status of the asset transfer of parks and playground be noted;**
- 10.2 the updated Community Asset Transfer Procedures document be approved and adopted**

11. APPOINTMENT OF LA GOVERNOR

[NOTE: Councillor G. Davies, having earlier declared an interest in this item, left the meeting prior to the consideration and determination thereof.]

The Cabinet was advised that, in accordance with the Local Authority's appointment policy for LA Governors, where LA Governor vacancies exist or are due to arise, nominations are invited from the Governing Body Chairperson, the Headteacher and the local Elected Member. Subsequently, all nominations are considered by the Cabinet Member for Education & Welsh Language, who makes the appointments.

Councillor Glynog Davies is the local Elected Member and is also the current Chair of Governors at Brynamman Primary School. It would not, therefore, be appropriate for Councillor Davies to consider the nomination for a vacancy for a LA Governor at Brynamman Primary School, in his role as Cabinet Member for Education & Welsh Language.

UNANIMOUSLY RESOLVED that Mr Morgans be re-appointed to the Governing Body of Brynamman Primary School.

12. **ANY OTHER ITEMS OF BUSINESS THAT BY REASONS OF SPECIAL CIRCUMSTANCES THE CHAIR DECIDES SHOULD BE CONSIDERED AS A MATTER OF URGENCY PURSUANT TO SECTION 100B(4)(B) OF THE LOCAL GOVERNMENT ACT, 1972.**

The Chair advised that there were no items of urgent business.

CHAIR

DATE

This page is intentionally left blank